

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK**

SIDRA RIGGINS, on behalf of herself and all
others similarly situated,

Plaintiff,

v.

PIONEER BANK,

Defendant.

1:23-cv-01534-DNH-DJS

**DEFENDANT PIONEER BANK'S NOTICE OF MOTION TO DISMISS THE
COMPLAINT PURSUANT TO FED. R. CIV. P. 12(b)(1) and (6)**

PLEASE TAKE NOTICE, that, upon the accompanying memorandum of law and all other papers and proceedings had herein, defendant Pioneer Bank, through its undersigned counsel, will and hereby does move this Court, before the Honorable David N. Hurd, U.S.D.J., United States District Court for the Northern District of New York, at the Alexander Pirnie Federal Building and U.S. Courthouse in Utica, New York, for an Order, pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6), dismissing the complaint of plaintiff Sidra Riggins for lack of subject matter jurisdiction and for failure to state a claim upon which relief can be granted.

Pursuant to Local Civil Rule 7.1(a), any opposition to this motion shall be filed on or before March 25, 2024, and any reply papers shall be filed on or before April 1, 2024.

[Attorney signature on following page]

Dated: March 4, 2024
New York, New York

DLA PIPER LLP (US)

By: /s/ Robert J. Alessi

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Counsel for Defendant Pioneer Bank

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served on all parties in this action/known counsel of record via the CM/ECF system on this 4th day of March, 2024.

/s/ Robert J. Alessi

Robert J. Alessi (NDNY Bar Roll No. 101019)